

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKUSDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 4/11/2024
DATE FILED: 4/11/2024

-----	X	
CLARITYMASK, INC., and COLLEEN ELIZABETH REIN,	:	
	:	
Plaintiffs,	:	23-cv-8877 (LJL)
	:	
-v-	:	<u>ORDER</u>
	:	
THE INDIVIDUALS, PARTNERSHIPS, AND UNINCORPORATED ASSOCIATIONS IDENTIFIED ON SCHEDULE "A,"	:	
	:	
Defendants.	:	
	:	
-----	X	

LEWIS J. LIMAN, United States District Judge:

Plaintiffs' motion for leave to seek third party and jurisdictional discovery from Amazon.com, Inc. ("Amazon") to determine the names, addresses, and email addresses of the Defendants identified on Schedule A of the Complaint, Dkt. No. 20, is GRANTED.

Plaintiffs' discovery request is reasonable and supported by good cause. *See Strike 3 Holdings, LLC v. Doe*, 329 F.R.D. 518, 520 (S.D.N.Y. 2019). Plaintiffs have "alleged a prima facie case of [copyright and trademark] infringement sufficient for purposes of this motion and appear[] to have no other way of obtaining the identities of the alleged infringers." *Digital Sin, Inc. v. Does 1-176*, 279 F.R.D. 239, 241 (S.D.N.Y. 2012). The names, addresses, and email addresses associated with the allegedly infringing Amazon accounts are "sufficiently specific to advance Plaintiff to the service of process stage." *Strike 3 Holdings, LLC v. Doe*, 2021 WL 5337194, at *2 (S.D.N.Y. Oct. 12, 2021) (quoting *Strike 3 Holdings, LLC v. Doe*, 2019 WL 5459693, at *3 (S.D.N.Y. Oct. 9, 2019)). "Ascertaining the identities and [physical and email addresses] of the . . . defendants is critical to plaintiffs' ability to pursue litigation, for without this information, plaintiffs will be unable to serve process." *Sony Music Ent. Inc. v. Does 1-40*, 326 F. Supp. 2d 556, 566 (S.D.N.Y. 2004). Finally, Plaintiff's "interest in learning Defendant's identity in order to effectuate service and allow the case to continue outweighs [the] minimal privacy interest," *Strike 3 Holdings*, 2021 WL 5337194, at *3, Defendants have "in the information [they] provided to Amazon," *SEBO Am., LLC v. Abramaz*, 2019 WL 13203289, at *1 (D. Colo. Sept. 30, 2019).

Thus, it is hereby ORDERED that Plaintiffs may seek discovery from Amazon to obtain the names, addresses, and email addresses associated with the accounts of the Defendants

identified on Schedule A of the Complaint.

SO ORDERED.

Dated: April 11, 2024
New York, New York



LEWIS J. LIMAN
United States District Judge